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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 GARRY WAYNE RUCKER II,

9 Plaintiff,

10 v.

11 NANCY A. BERRYHILL, Deputy  
Commissioner of Social Security for  
Operations,

12 Defendant.

CASE NO. C18-5747 RSM

ORDER ADOPTING REPORT AND  
RECOMMENDATION

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14 The Court, having reviewed the Report and Recommendation of Judge J. Richard  
15 Creatura, United States Magistrate Judge, and the relevant record, does hereby find and ORDER:

- 16 (1) The Court adopts the Report and Recommendation.
- 17 (2) The matter is **REVERSED** and **REMANDED** pursuant to sentence four of 42  
18 U.S.C. § 405(g) to the Commissioner for further consideration.
- 19 (3) **JUDGMENT** is for plaintiff and the case should be closed.
- 20 (4) The Clerk is directed to send copies of this Order to counsel of record.

21 Dated this 17<sup>th</sup> day of May 2019.

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24 RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE